

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT D. CRAVENER,)	
)	
Plaintiff,)	
)	Civil Action No. 23-355
v.)	Judge Nora Barry Fischer
)	Magistrate Judge Lisa Pupo Lenihan
CHASE MCCLISTER, et al.)	
)	
Defendants.)	

ORDER OF COURT

AND NOW, this 31st day of October, 2023, upon consideration of the Report and Recommendation of United States Magistrate Judge Lisa Pupo Lenihan dated October 9, 2023, (Docket No. 53), recommending that Plaintiff Robert D. Cravener, Sr.'s Amended Complaint be dismissed, with prejudice, for failure to prosecute and failure to comply with Court Orders, after conducting a detailed analysis of all of the relevant factors under *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984), and ordering that any objections be filed within 14 days such that objections were due from non-ECF users like Plaintiff by October 26, 2023, and no objections having been filed by the date of this Order, and upon independent review of the record and consideration of the Magistrate Judge's Report and Recommendation of October 9, 2023, which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that Plaintiff's Amended Complaint (Docket No. 12) is DISMISSED, with prejudice, for failure to prosecute, in light of the facts and circumstances of this case and the relevant factors under *Poulis* set forth by the Magistrate Judge which are further buttressed by Plaintiff's failure to file objections to the Report and Recommendation of October 9, 2023 as of the date of this Order;

IT IS FURTHER ORDERED that the Motions to Dismiss filed by Defendants Chase

McClister, James J. Panchik, Kathleen Charton, Pacey Cramer, Pat Fabian, Jessica Hicks, Regina B. Himes, Stacey R. Livengood, Rebecca Lozzi, Don Meyers, Jason Renshaw, and Jennifer Smith, (Docket Nos. 42; 45; 47) are terminated, as moot. However, as noted in the Report and Recommendation, the merits of the Motions to Dismiss were fully considered in the Magistrate Judge's analysis of the sixth *Poulis* factor which this Court adopts and agrees that Plaintiff's Amended Complaint has not set forth plausible claims for relief such that his failures to respond to the Motions to Dismiss, the Magistrate Judge's Show Cause Order and the deadline for objections to the Report and Recommendation make it impossible to proceed;

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case CLOSED; and,

FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/ Nora Barry Fischer

Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: United States Magistrate Judge Lisa Pupo Lenihan

All counsel of record.

cc: ROBERT D. CRAVENER, SR.
524 East 3rd Avenue
Tarentum, PA 15084
(via first class mail)